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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 NANCY K. ERIKS,

10 Plaintiff,

11 v.

12 BRECKENRIDGE PROPERTY FUNDS  
2016, LLC, *et al.*,

13 Defendants.  
14

Case No. C18-0631RSL

ORDER TO SHOW CAUSE

15 This matter comes before the Court *sua sponte*. On May 2, 2018, plaintiff filed  
16 this action in federal court alleging that the Court has jurisdiction based on the diversity  
17 of citizenship of the parties. See 28 U.S.C. § 1332(a) (establishing that the federal court’s  
18 basic diversity jurisdiction extends to “all civil actions where the matter in controversy  
19 exceeds . . . \$75,000 . . . and is between . . . citizens of different States.”). “For a case to  
20 qualify for federal jurisdiction under 28 U.S.C. § 1332(a), there must be complete  
21 diversity of citizenship between the parties opposed in interest.” Kuntz v. Lamar Corp.,  
22 385 F.3d 1177, 1181 (9th Cir. 2004) (internal citation omitted). In examining whether  
23 complete diversity is present, the citizenship of a limited liability company is determined  
24 by examining the citizenship of the owners/members. See Johnson v. Columbia Props.

1 Anchorage, LP, 437 F.3d 894, 899 (9th Cir. 2006) (holding that “like a partnership, an  
2 LLC is a citizen of every state of which its owners/members are citizens”).

3 Plaintiff has not alleged the citizenship of each of the owners/members of  
4 defendant Breckenridge Property Fund 2016, LLC. Therefore, plaintiff has failed to meet  
5 her burden to establish the basis of the Court’s jurisdiction. See Indus. Tectonics, Inc. v.  
6 Aero Alloy, 912 F.2d 1090, 1092 (9th Cir. 1990) (“The party asserting jurisdiction has the  
7 burden of proving all jurisdictional facts”); Fed R. Civ. P. 12(h)(3) (“If the Court  
8 determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the  
9 action”). As a result, plaintiff is ORDERED TO SHOW CAUSE on or before October 17,  
10 2018, why the Court should not dismiss this action pursuant to Fed. R. Civ. P. 12(b)(1) by  
11 providing the Court with the citizenship of all of the owners/members of Breckenridge  
12 Property Fund 2016, LLC, at the time the complaint was filed. The Clerk of the Court is  
13 directed to place this order to show cause on the Court’s calendar for Friday, October 19,  
14 2018.

15 Dated this 14th day of September, 2018.

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19 Robert S. Lasnik  
20 United States District Judge  
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